

5. Based on the allegations contained in Plaintiff's Complaint, the parties stipulate that Trustees of the Business Council of New York State, Inc. Insurance Fund is not a necessary and indispensable party to the within action at this time.

6. Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff's Complaint is dismissed without prejudice against Trustees of the Business Council of New York State, Inc. Insurance Fund only.

7. The parties further stipulate and agree that the caption shall be amended to change the only named defendant to "Equitable Financial Life Insurance Company." A copy of the amended case caption is attached hereto as Exhibit A.

April 15, 2024

/s/ Howard D. Olinsky

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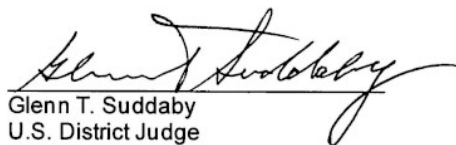
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*Attorney for Defendant Equitable Financial
Life Insurance Company*

IT IS SO ORDERED:


Glenn T. Suddaby
U.S. District Judge

Dated: April 16, 2024

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

TAMMY JUNE,

Plaintiff,

V.

EQUITABLE FINANCIAL LIFE
INSURANCE COMPANY,

Defendant.

Civil Action No. 8:24-cv-00389 (GTS/DJS)

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